

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**IN RE:** § § **CASE NO. 23-30835**  
**PHASE ONE SERVICES LLC** § §  
**Debtor** § § **CHAPTER 11**

**INTERIM ORDER ON AUTHORITY TO (I) CONTINUE PREPETITION FACTORING  
AGREEMENT ON A POSTPETITION BASIS AND (II) MODIFYING THE  
AUTOMATIC STAY  
(DOCKET NO. 6)**

On Motion by Debtor in Possession, Phase One Services LLC, d/b/a Phase One Logistics (the “Debtor”) to continue the pre-petition factoring agreement with TBS Factoring Service, LLC (“Factor”) on a post-petition basis, and the Court having considered the Motion, it is accordingly,

**ORDERED** as follows:

1. The Debtor is authorized on an interim basis, effective immediately, to continue to sell its accounts (“Accounts”) to the Factor pursuant to Bankruptcy Code Section 363, pursuant to the terms of the Pre-petition Factoring Agreement (the “Agreement”), and to execute all documents and take all actions to be executed and taken in connection with and in furtherance of all undertakings and obligations thereunder.
2. A true and correct copy of the Agreement is attached hereto, incorporated herein by this reference, and marked as Exhibit “A.”
3. Factor is authorized but not required to buy Accounts from Debtor. Factor may agree to buy some Accounts from the Debtor, and to decline to buy others, in its sole discretion. Nothing in this Order shall be deemed to expand Factor’s contractual obligations to the Debtor under the Agreement.

4. The provisions of the Interim's Order on Authority to Use Cash Collateral [Docket No. 13] shall apply with regard to any Accounts purchased by Factor.
5. Any stay pursuant to Fed. R. Bankr. P. 6004(h) is waived.

Signed:

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Marvin Isgur  
United States Bankruptcy Judge

AGREED AS TO FORM AND SUBSTANCE:

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**Subchapter V Trustee**